



**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Appln No. : 10/522,403  
Applicant(s): Fumitoshi ASAI et al.  
Filed : January 18, 2005  
For : MEDICINAL COMPOSITION FOR  
TREATING ARTERIOSCLEROSIS  
Art Unit : 1614  
Examiner :  
Docket No. : 04833CIP/HG  
Confirm. No.: 5551  
Customer No.: 01933

Express Mail Mailing Label  
No.: EV 478 459 869 US  
Date of Deposit: May 5, 2005

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

*Laraine Dobies*

Laraine Dobies

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

**FILING MISSING DECLARATION UNDER  
37 CFR 1.53 (f)**

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: MAIL STOP MISSING PARTS**

S I R :

The NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b) dated April 4, 2005 (copy enclosed), specified that the Oath or Declaration had been omitted and required that it be filed within two months from April 4, 2003, the mailing date of said NOTICE.

Enclosed herewith is the executed Declaration dated April 14, 2005, April 14, 2005 and April 14, 2005, respectively. Please enter it in the file of the above-identified application.

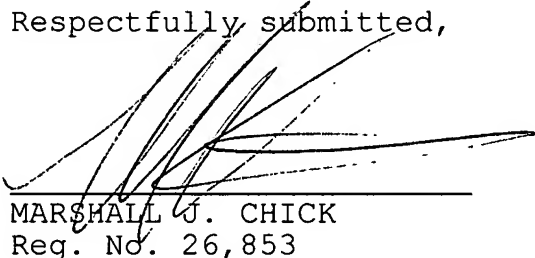
Form PTO-2038 authorizing the sum of \$130.00 is attached as the surcharge for filing the Declaration on a date later than the filing date of the application. If any further fees are required, authorization is given to charge same against Account No. 06-1378.

**INFORMATION DISCLOSURE STATEMENT**

A SECOND AND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT is being filed concurrently herewith. Consideration of the publications cited therein is respectfully requested.

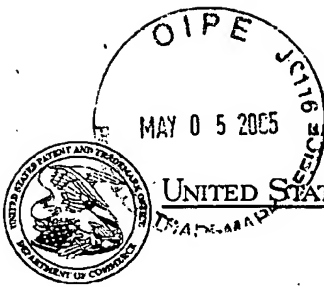
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& Chick, P.C.  
767 Third Ave., 25th Floor  
New York, NY 10017-2023  
Tel. No. (212) 319-4900  
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MJC/ld

Respectfully submitted,



MARSHALL J. CHICK  
Reg. No. 26,853

Encs. Form PTO-2038 for \$130.00  
Executed DECLARATION  
Copy of Notice dated April 4, 2005  
SECOND AND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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MSFW/#cc

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/522,403	01/18/2005	Fumitoshi Asai	04833CIP/HG

01933  
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC  
767 THIRD AVENUE  
25TH FLOOR  
NEW YORK, NY 10017-2023

CONFIRMATION NO. 5551

FORMALITIES LETTER



\*OC000000015650053\*

Date Mailed: 04/04/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

05/10/2005 SHIHASSI 00000067 10522403 130.00 DP  
01 FC:1051

*A copy of this notice MUST be returned with the reply.*

RASAWOS

Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE